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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,459	02/06/2002	Richard R. Bijjani	P0736/7001 RJP	8893
23628	7590	12/22/2003	EXAMINER	
WOLF GREENFIELD & SACKS, PC FEDERAL RESERVE PLAZA 600 ATLANTIC AVENUE BOSTON, MA 02210-2211			HO, ALLEN C	
			ART UNIT	PAPER NUMBER
			2882	

DATE MAILED: 12/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/068,459	Applicant(s) BIJJANI ET AL.	
	Examiner Allen C. Ho	Art Unit 2882	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-26 and 28-31 is/are allowed.
- 6) ☒ Claim(s) 15-19, 27 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>0903</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15-19, 27, and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Krug *et al.* (U. S. Patent No. 5,838,758).

With regard to claims 15 and 16, Krug *et al.* disclosed a method (Fig. 18a) for analyzing an object comprising: pre-scanning with an x-ray prescanner (1000) the object to determine first information about the object (threat status and suspect locations); performing a computed tomography scan (1002) of the item to determine second information about the object (column 32, lines 22-26); analyzing the second information to determine whether to update the first information (whether to update the threat status).

With regard to claim 17, Krug *et al.* disclosed a method of claim 15, wherein the first information relates to mass information (This is inherent, since the x-ray attenuation is related to the mass of the object).

With regard to claim 18, Krug *et al.* disclosed a method of claim 15, wherein the second information relates to density information about at least one plane of the object (This is inherent, since this is the function of a CT).

With regard to claim 19, Krug *et al.* disclosed a method of claim 15, wherein the prescan information relates to an effective atomic number of the object (This is inherent, as a dual-energy scanner determines an effective atomic number of the object).

With regard to claim 27, Krug *et al.* disclosed an apparatus for analyzing an object comprising: an x-ray device (**1000**) to determine first information about the object (threat status and suspect locations); a computed tomography device (**1002**) to scan a plane of the object based on the first information to determine second information (column 32, lines 18-37); and a processor (a processor is inherent in a CT) that analyzes the first and second information to determine whether to update the first information based on the second information (whether to update the threat status).

With regard to claim 32, Krug *et al.* disclosed an apparatus that analyzes contents of an object comprising: a multiple energy x-ray device (**1000**) that prescans the object to determine first information (threat status and suspect locations); a computed tomography device (**1002**), coupled to the x-ray device, that performs a scan on at least one plane of the object based on the first information to determine second information (column 32, lines 18-37); and a processor (a processor is inherent in a CT) that analyzes the first and second information to determine whether to update the first information based on the second information (whether to update the threat status).

Allowable Subject Matter

3. The indicated allowability of claims 15-19, 27, and 32 is withdrawn in view of Krug *et al.* (U. S. Patent No. 5,838,758).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Peschmann (U. S. Patent No. 5,367,552) disclosed an automatic concealed object detection system having a pre-scan stage.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen C. Ho whose telephone number is (703) 308-6189. The examiner can normally be reached on Monday - Friday from 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward J. Glick can be reached at (703) 308-4858. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0530.

Allen C. Ho

Allen C. Ho
Patent Examiner
Art Unit 2882

ACH